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December 1, 2020

BY ECF

Hon. Lorna G. Schofield
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Erdman v. Victor et al.*, 20-CV-04162-LGS

Dear Judge Schofield:

This firm represents Defendant Adam Victor in the above-captioned defamation action brought by *Pro Se* Plaintiff Tyler Erdman. I write in response to Mr. Erdman's letter, dated November 30, 2020, which was made available to Mr. Victor by filing on the public docket on December 1, 2020.

In my November 3, 2020 letter motion, I informed Your Honor that ¶ 48 of Plaintiff's Amended Complaint (ECF No. 18), quotes directly from a document that was placed under seal on October 23, 2020 in *Khatskevich v. Victor, et al.*, Index No. 151658/2014 (Sup. Ct. N.Y. County) ("Khatskevich Action"), pursuant to an order that was not provided to me until October 30. In the aforementioned letter motion, I requested leave to submit documents, including the relevant sealing order and related materials that are also under seal, *in camera*, in order to make an application to have the relevant portions of Mr. Erdman's Amended Complaint sealed and replaced on the docket with appropriate redactions. Because Mr. Erdman is not a party to the Khatskevich Action, I could not provide more detail regarding the documents under seal.

In light of Mr. Erdman's November 30, 2020 letter and the fact that he is not a party to the Khatskevich Action, I am submitting this letter and its exhibits *ex parte* and under seal, and am filing a copy of this letter on the public docket with appropriate redactions.

[REDACTED]

Hon. Lorna G. Schofield
December 1, 2020
Page 2 of 3 Pages

[REDACTED]

Mr. Victor did not make an application to seal immediately after Your Honor granted permission for such an application in part because of the risk that such an application would have become moot [REDACTED]

[REDACTED] and because of the
Thanksgiving holiday.

Unless Your Honor directs otherwise, Mr. Victor will make a formal application to seal by the end of this week. [REDACTED]

I thank the Court for its attention to this matter.

Hon. Lorna G. Schofield
December 1, 2020
Page 3 of 3 Pages

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeffrey Eilender", written in a cursive style.

Jeffrey M. Eilender

Copies To:

Pro Se Plaintiff Tyler Erdman (by ECF)

David Wolf, Counsel for Manhattan Place Condominium (by ECF)